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14 Attorneys for Plaintiff
15 NETWORK CACHING TECHNOLOGY, L.L.C.

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 NETWORK CACHING TECHNOLOGY,
20 L.L.C.,

21 Case No. CV-01-2079 (VRW)

22 Plaintiff,
23 v.
24 NOVELL, INC., VOLERA, INC.,
25 AKAMAI TECHNOLOGIES, INC.,
CACHEFLOW, INC., AND INKTOMI
CORPORATION
Defendants.

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Plaintiff - Counterclaim Defendant Network Caching Technology, L.L.C. ("NCT") replies to the Counterclaims of Defendant - Counterclaim Plaintiff Akamai Technologies, Inc. ("Akamai") as follows:

ANSWER TO AKAMAI AMENDED COUNTERCLAIMS
CV-01-2079 (VRW)

Counterclaims

The Parties

1. Admitted.
2. Admitted.

Jurisdiction

3. Admitted.
4. Admitted.

Existence of an Actual Controversy

5. Admitted.
6. Admitted.
7. Plaintiff NCT is without sufficient information or knowledge to ascertain the time at which Akamai and/or any of its customers became aware of any of the patents-in-suit. NCT admits that it did not notify Akamai of its infringement prior to filing suit.

Declaration of invalidity of the '049, '914, '452 and/or '234 Patents

8. Denied.

Declaration of Non-Infringement of the '049, '914, '452 and/or '234 Patents

9 Denied

1 Wherefore, Plaintiff - Counterclaim Defendant NCT requests that this Court enter
2 judgment in its favor and against Defendant - Counterclaim Plaintiff Akamai as follows:
3

4 (a) Granting the relief requested by NCT in its amended complaint, including, *inter*
5 *alia*, a declaration that the '049, '914, '452 and '234 patents are valid and infringed
6 by Akamai.
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8 (b) Such other relief as the Court deems proper.
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10 Dated: February 4, 2002

11 Respectfully submitted,
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13 JONES, DAY, REAVIS & POGUE
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15 By: /s/ Blaney Harper
16 Blaney Harper
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18 Attorneys for Plaintiff
19 NETWORK CACHING TECHNOLOGY,
20 L.L.C.
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